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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Miguel Angel SERVIN-Espinoza,

Defendant.

Magistrate Case No.: **'08 MJ 8676**

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960
Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

On July 23, 2008, within the Southern District of California, defendant Miguel Angel SERVIN-Espinoza did knowingly and intentionally import approximately 235.64 kilograms (518.41 pounds) of cocaine, a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

[Signature]

Cole Dotson, Special Agent
U.S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 24TH,
DAY OF JULY 2008.

[Signature]

PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Miguel Angel SERVIN-Espinoza

4
5 STATEMENT OF FACTS

6 This statement of facts is based on personal observation, investigation, and
7 information provided to US Immigration and Customs Enforcement Special Agent Cole
8 Dotson.

9 On July 23, 2008, at approximately 1515 hours, Miguel Angel SERVIN-Espinoza
10 entered the United States at the Calexico, California, East Port of Entry. SERVIN was
11 the driver of a green 1999 International tractor bearing California license plate
12 VP25596.

13 The primary inspector, Customs and Border Protection Officer (CBPO) Perez
14 tapped the fuel tank, which Perez reported as sounding "solid." CBPO Perez referred
15 the tractor to the truck x-ray for a closer examination.

16 The operator of the x-ray, CBPO Augustine noticed "anomalies" in the fuel tank.
17 CBPO Augustine referred the tractor to the enforcement dock for a canine inspection.

18 CBPO Leon conducted a canine inspection of the tractor. The canine responded
19 to both fuel tanks of the tractor.

20 A subsequent inspection of the tractor by CBPO Chong revealed 8 packages
21 concealed within both fuel tanks. CBPO Chong probed one of the packages and a
22 sample of white powdery substance was obtained. The sample field-tested positive for
23 cocaine. The 8 packages had a combined net weight of approximately 235.64
24 kilograms (518.41 pounds).

25 SERVIN was placed under arrest and was advised of his rights per Miranda.
26 SERVIN acknowledged, waived his rights, and agreed to answer questions. SERVIN
27 denied knowledge. SERVIN stated that he is only a truck driver, driving the truck to
28 Calexico, CA as instructed by his boss.
29